

EX PARTE OR LATE FILED

DOCKET FILE COPY ORIGINAL

RECEIVED

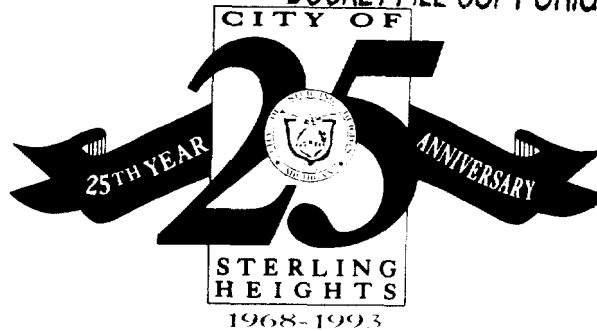
MAR 22 1993

City Council

Mayor Stephen M. Rice
Mayor Pro-Tem Andy M. Zaczek
Councilwoman Deanna E. Koski
Councilman Richard J. Notte
Councilman Sam Palazzolo
Councilman Jay Pollard

City Manager

Steve M. Duchane



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
City of Sterling Heights
Administration Building
40555 Utica Road
P.O. Box 8009
Sterling Heights, MI 48311-8009
(313) 977-6123
FAX # (313) 977-6239

March 17, 1993

Ms. Donna R. Searcy, Secretary
Federal Communications
Commission
Room 222
1919 M Street N. W.
Washington, DC 20554

RECEIVED

MAR 19 1993

FCC - MAIL ROOM

RE: Ex Parte Presentation in MM Docket No. 92-266

Dear Ms. Searcy:

In accordance with the Commission's ex parte rule, 47 C.F.R. 1.1206, this letter is being filed in Docket No. 92-266 as notification that I have written a letter to Commissioner Barrett, Commissioner Duggan, and Acting Chairman Quello as an ex parte presentation expressing the concerns and views of the City of Sterling Heights, Michigan, in the matter of cable rate regulation.

Enclosed are two copies of the letter to the Commissioners for inclusion in the public record of Docket No. 92-226.

Respectfully submitted,

Jim Haralson, Cable Communication Commissioner
City of Sterling Heights

encl. Letter of Acting Chairman Quello and Commissioners Barrett and Duggan

cc. Hon. James H. Quello
Hon. Ervin S. Duggan
Hon. Andrew C. Barrett

No. of Copies rec'd
LIST A B C D E

0 + 1

City Council

Mayor Stephen M. Rice
Mayor Pro-Tem Andy M. Zaczek
Councilwoman Deanna E. Koski
Councilman Richard J. Notte
Councilman Sam Palazzolo
Councilman Jay Pollard

City Manager

Steve M. Duchane



City of Sterling Heights
Administration Building
40555 Utica Road
P.O. Box 8009
Sterling Heights, MI 48311-8009
(313) 977-6123
FAX # (313) 977-6239

March 17, 1993

Hon. James H. Quello
Acting Chairman
Federal Communications
Commission
1919 M Street N. W.
Washington, DC 20554

Hon. Andrew C. Barrett
Commissioner
Federal Communications
Commission
1919 M Street N. W.
Washington, DC 20554

Hon. Ervin S. Duggan
Commissioner
Federal Communications
Commission
1919 M Street N. W.
Washington, DC 20554

RE: Ex Parte Presentation in MM Docket No. 92-266
CABLE RATE REGULATION

RECEIVED
MAR 19 1993
FCC - MAIL ROOM

Dear Chairman Quello, Commissioner Barrett and Commissioner Duggan:

The City of Sterling Heights is very concerned with the possibility of the "Baby Bells" entering into the cable entertainment business. Sterling Heights is currently serviced by Comcast Cablevision which was granted a 15 year exclusive franchise agreement in 1981. Through this franchise agreement our residents are guaranteed PEG channels and with the 5% franchise fee the city is able to operate it's award winning government access channel. (Please note the included CHTV-5 program schedule which shows the extent of service the City is able to provide for it's residents). It is the belief that if the phone companies, like Michigan Bell/Ameritech, are allowed to operate a video dial tone cable service there will be no insurance of PEG channels or franchise fees for the citizens of Sterling Heights. Although a "Baby Bell" may imply itself as a healthy competition alternative for subscribers it would eventually be the "death" of cable companies as we know it and would once again subject subscribers to a monopoly service with monopoly pricing.

Cable rates are also a concern of the City and it's residents. As in all communities, the basic rates, premium rates, installation charges and other service rates have increased steadily since the 1984 Cable Act eliminated any local municipal control. Most notably, after the 1992 Cable Act veto was overridden Comcast once again increased its pricing.

The City of Sterling Heights supports the suggestions and concerns raised by the National League of Cities, the National Association of Telecommunications Officer & Advisors, the U.S. Conference of Mayors and the National Association of Counties ("Local Governments") in their Comments and Reply Comments filed in this Docket.

We specifically ask the Commission to support a simple certification process for rate regulation at the local level.

We urge the Commission to adopt realistic "cost per channel" benchmarks based on rates in those areas where there is true head to head competition between

multi-channel video programming distributors. We support a benchmark rate of 34 cents per channel proposed by "Local Governments".

We hope the Commission will also allow local jurisdictions to work in partnership with the Commission on the review and regulation of rates for cable programming services.

In accordance with the Commission's rules regarding written ex parte presentations, two copies of this letter are being filed with the Commission's Secretary, as required under 47 C.F.R. Section 1.1206. A copy of this letter is enclosed for your files.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jim Haralson".

Jim Haralson, Cable Communication Commissioner
City of Sterling Heights

encl. Ex Parte Notification Letter
cc. Donna R. Searcy, Secretary
Federal Communications Commission

March 1993 City Hall Television Program Schedule



MARCH 1-5

MONDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am STERL HTS. AT YOUR SERVICE
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm CITY MANAGEMENT REPORT
7:30pm COUNCIL CONNECTION
8:00pm LEGALLY SPEAKING
8:30pm CHTV SPORTS
Boys Basketball: Bulls vs. Pistons

TUESDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am STERLING SPOTLIGHT
2:30pm LEGALLY SPEAKING
3:00pm CHTV SPORTS
Boys Basketball: Bulls vs. Pistons
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm STERL HTS. AT YOUR SERVICE
7:30pm COUNCIL CONNECTION
8:00pm **LIVE** STERLING HEIGHTS
CITY COUNCIL MEETNG

WEDNESDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am 3/2/93 CITY COUNCIL MEETING
1:30pm STERL HTS. AT YOUR SERVICE
2:00pm COUNCIL CONNECTION
2:30pm LEGALLY SPEAKING
3:00pm CHTV SPORTS
Boys Basketball: Bulls vs. Pistons
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm **LIVE** STERLING HEIGHTS
CABLE COMMISSION MEETING

THURSDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am NEWS 5
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm STERL HTS. AT YOUR SERVICE
7:30pm COUNCIL CONNECTION
8:00pm LEGALLY SPEAKING
8:30pm CHTV SPORTS
Boys Basketball: Bulls vs. Pistons

MARCH 1-5 continued

FRIDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am CHTV SPORTS
Boys Basketball: Bulls vs. Pistons
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm STERL HTS. AT YOUR SERVICE
7:30pm COUNCIL CONNECTION
8:00pm LEGALLY SPEAKING
8:30pm CHTV SPORTS
Boys Basketball: Bulls vs. Pistons

MARCH 8-12

MONDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am STERL HTS. AT YOUR SERVICE
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm CITY MANAGEMENT REPORT
7:30pm COUNCIL CONNECTION
8:00pm LEGALLY SPEAKING
8:30pm CHTV SPORTS
Dimitri's vs. Sterling Heights

TUESDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am STERLING SPOTLIGHT
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm STERL HTS. AT YOUR SERVICE
7:30pm COUNCIL CONNECTION
8:00pm LEGALLY SPEAKING
8:30pm CHTV SPORTS
Dimitri's vs. Sterling Heights

WEDNESDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
2:00pm COUNCIL CONNECTION
2:30pm LEGALLY SPEAKING
3:00pm CHTV SPORTS
Dimitri's vs. Sterling Heights
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm STERL HTS. AT YOUR SERVICE
7:30pm **LIVE** STERLING HEIGHTS
PLANNING COMMISSION MTG

MARCH 8-12 continued

THURSDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am NEWS 5
1:30pm STERL HTS. AT YOUR SERVICE
2:00pm COUNCIL CONNECTION
2:30pm LEGALLY SPEAKING
3:00pm CHTV SPORTS
Dimitri's vs. Sterling Heights
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm **LIVE** ZONING BOARD OF
APPEALS MEETING

FRIDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am CHTV SPORTS: Dimitri's vs. Sterling Hts
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm STERL HTS. AT YOUR SERVICE
7:30pm COUNCIL CONNECTION
8:00pm LEGALLY SPEAKING
8:30pm CHTV SPORTS
Dimitri's vs. Sterling Heights

MARCH 15-19

MONDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am STERL HTS. AT YOUR SERVICE
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm CITY MANAGEMENT REPORT
7:30pm COUNCIL CONNECTION
8:00pm LEGALLY SPEAKING
8:30pm CHTV SPORTS
Girls Basketball: Bulls vs. Lakers

TUESDAY

8:30am FITNESS IN MOTION
9:00am CITY MANAGEMENT REPORT
9:30am COUNCIL CONNECTION
10:00am STERLING SPOTLIGHT
2:30pm LEGALLY SPEAKING
3:00pm CHTV SPORTS: Bulls vs. Lakers
4:30pm NEWS 5
5:00pm ETHNIC NEWS
5:30pm FITNESS IN MOTION
6:00pm STERLING SPOTLIGHT
6:30pm NEWS 5
7:00pm STERL HTS. AT YOUR SERVICE
7:30pm COUNCIL CONNECTION
8:00pm **LIVE** STERLING HEIGHTS
CITY COUNCIL MEETNG